

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6243 of 2023

Arising Out of PS. Case No.-951 Year-2021 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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1. PINKI DEVI W/o Rudal Mahto R/o Pandey- Galli, Campus of D.I.G. Sahab, P.S.- Muzaffarpur (Town), Distt- Muzaffarpur, Bihar-842002.
 2. Rudal Mahto S/o Mushafir Mahto R/o Pandey- Galli, Campus of D.I.G. Sahab, P.S.- Muzaffarpur (Town), Distt- Muzaffarpur, Bihar-842002.
 3. Raushan Kumar S/o Late Kishore Patel R/o Pandey- Galli, Campus of D.I.G. Sahab, P.S.- Muzaffarpur (Town), Distt- Muzaffarpur, Bihar-842002.
- Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kamleshwar Pandey, Advocate
		Ms. Mayuri, Advocate
For the Opposite Party/s	:	Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-02-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 363 and 366A/34 of the Indian Penal Code.

The daughter of the informant is said to have been enticed away by one Avinash Kumar Patel in association of other co-accused including these petitioners.

By order dated 08.12.2022 passed in Cr. Misc. No.50527 of 2022, the prayer for anticipatory bail of these petitioners was dismissed as withdrawn with a liberty to file a fresh application.



It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. As a matter of fact, the statement of the victim was recorded under Section 164 Cr.P.C. in which she has not taken the name of these petitioners. Petitioner nos. 1 & 2 have no criminal antecedent, whereas petitioner no.3 has one criminal antecedent, as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case and the statement of the victim recorded under Section 164 Cr.P.C. , let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Muzaffarpur (Town) P.S. Case No.951 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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